

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

ANTWAIN BAILEY,	)	
	)	
Plaintiff,	)	
	)	Case No. 08 C 4441
vs.	)	
	)	
CITY OF CHICAGO, ILLINOIS, et. al,	)	
	)	JUDGE MAROVICH
Defendants	)	
	)	
	)	MAGISTRATE JUDGE MASON
	)	

**PLAINTIFF’S MOTION TO ALTER AMEND JUDGMENT OF DECEMBER 14, 2009**

Plaintiff, Antwain Bailey, by his undersigned attorney, Josh Friedman, pursuant to Fed. R. Civ. Pro. 59(e), for his Motion to Alter or Amend this Court’s Judgment of December 14, 2009, states as follows:

1. Pursuant to a settlement reached by Plaintiff and the City of Chicago Defendants, Plaintiff and the City of Chicago Defendants executed and filed a stipulation to Dismiss this case only as to the City of Chicago Defendants—Defendants City of Chicago, D.W. Pearson, K.K. Krizka, and R. Brown (the “City of Chicago Defendants”).
2. The stipulation (Docket No. 136) is only signed by counsel for Plaintiff and the City of Chicago Defendants; counsel for the Cook County Defendants did not sign the stipulation.

3. There has been no settlement with the Cook County Defendants in this case and Plaintiff is proceeding against them.

WHEREFORE, for the foregoing reasons, Plaintiff therefore respectfully requests that this Court modify its judgment of December 14, 2009 to reflect that the case is dismissed with prejudice only as to the City of Chicago Defendants; to reinstate this action; and to reinstate all scheduled dates.

DATED: December 14, 2009

RESPECTFULLY SUBMITTED

ANTWAIN BAILEY,

By: /s/Josh Friedman  
One of his Attorneys

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**CERTIFICATE OF SERVICE**

I, Josh Friedman, attorney for Plaintiff, hereby certify that I served a copy of the foregoing Motion to Alter or Amend by this Court's ECF system on the individuals listed below on this 14th Day of December, 2009:

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